

CLAIMS: TRAFFIC ACCIDENTS INVOLVING MILITARY VEHICLES

Exchange of notes at Ottawa March 1 and 23, 1944
Entered into force March 23, 1944

60 Stat. 1948; Treaties and Other
International Acts Series 1581

The Secretary of State for External Affairs to the American Ambassador

DEPARTMENT OF
EXTERNAL AFFAIRS
CANADA

No. 16

OTTAWA, *March 1, 1944*

EXCELLENCY:

I have the honour to refer to my Note No. 130 of October 21, 1943, proposing a basis for the settlement of claims arising out of traffic accidents involving vehicles of the Armed Forces of Canada and vehicles of the Armed Forces of the United States.

The Government of Canada agree to the changes in the proposed Agreement suggested in your Note No. 75 of December 22, 1943.

The Government of Canada are now prepared to enter into an agreement with the Government of the United States establishing the basis to be adopted for the settlement of claims arising out of traffic accidents involving vehicles of the Armed Forces of Canada and vehicles of the Armed Forces of the United States in the following terms:

(a) The agreement would cover all vehicles of the Armed Forces of the Government of Canada (hereinafter called Canadian vehicles) and all vehicles of the Armed Forces of the Government of the United States (hereinafter called United States vehicles).

(b) The agreement would apply to accidents wherever they occur which take place on or after December 7th, 1941, which have not already been disposed of, and which involve a Canadian or United States vehicle.

(c) Neither Government would make any claim against the other for any damage caused in an accident to which this agreement applies to any vehicle, stores or other property of the Government of Canada and used by the Royal Canadian Navy, the Canadian Army or the Royal Canadian Air Force, or to any vehicle, stores or other property of the Government of the United States and used by the United States Army, the United States Army Air Force, the United States Navy or the United States Navy Air Force.

(d) Neither Government would make any claim against the other in

respect of the death of or injury to any member or civilian employee of the Armed Forces of Canada or of the United States caused by a United States vehicle or a Canadian vehicle in an accident to which this agreement applies, provided that no claims which members or civilian employees of the Armed Forces of Canada or of the United States may have in their own right on account of injury or death, would be affected by this agreement.

2. I shall be glad if you will inform me whether the Government of the United States agree to an arrangement on this basis. If so, this note and your reply to that effect will be regarded as constituting an agreement between our two Governments which will continue in force in respect of all accidents which may occur prior to the expiration of three months from the date on which either of the two Governments gives notice to the other of its intention to terminate the agreement.

Accept, Excellency, the renewed assurances of my highest consideration.

J. E. REED
for
*Secretary of State
for External Affairs*

THE UNITED STATES AMBASSADOR TO CANADA,
*United States Embassy,
Ottawa, Ontario.*

The American Ambassador to the Secretary of State for External Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Ottawa, Canada, March 23, 1944

No. 121

SIR:

I have the honor to acknowledge the receipt of your note No. 16 of March 1, 1944, outlining a proposed agreement with the Government of the United States establishing the basis to be adopted for the settlement of claims arising out of traffic accidents involving vehicles of the Armed Forces of Canada and vehicles of the Armed Forces of the United States.

I have now been authorized to inform you that the arrangement, as set forth in your note under acknowledgment, is agreeable to my Government and that your note, together with this reply, will be regarded as constituting an agreement between our two Governments on the subject.

RAY ATHERTON

The Right Honorable
THE SECRETARY OF STATE
FOR EXTERNAL AFFAIRS,
Ottawa.